



UNIVERSITY OF WISCONSIN  
**PLATTEVILLE**  
DEPARTMENT OF HUMANITIES

Chancellor Dennis Shields  
2508 Ullsvik Hall  
1 University Plaza  
Platteville, WI 53818

December 13, 2013

Dear Chancellor Shields,

On December 2, 2013, the Complaints and Grievances Commission held a hearing to address a grievance filed by Dr. Sabina Burton against Dr. Elizabeth Throop, Dean of the College of Liberal Arts and Education. Dr. Burton alleges that, by appointing Dr. Michael Dalecki as interim chair of the Department of Criminal Justice without a vote of the Criminal Justice faculty, Dean Throop has violated the LA&E Constitution, Article VI, Section 4 and Faculty Bylaws, Part III, Article I.

The testimony given at the hearing included statements by Dr. Burton, her husband, and Dean Throop. Most of the facts of the dispute do not seem to be in dispute. The former chair of the Department of Criminal Justice, Dr. Tom Caywood, was replaced by Dr. Michael Dalecki. The dean notified the department of the change after Dr. Caywood left the position (there is no consensus on whether he resigned or was removed) and she appointed Dr. Dalecki as interim chair for two years.

The Commission examined the provisions for replacing a department chair in the LA&E Constitution and the Faculty Bylaws.

Article VI, Section 4 of the Constitution of the College of Liberal Arts and Education states:

At least once every three years or upon written request of a majority of the department members, the Dean shall solicit from the department faculty its choice for chair. This choice shall be determined by a vote of the faculty in a manner established by the department faculty or, in the absence of faculty approved procedure, by a vote conducted by the Dean.

Part III, Article I, Section 3 of the UW-Platteville Faculty Bylaws states:

If a department chair resigns or is relieved of his or her duties as department chair, the department may pursue one of the following courses of action depending on the circumstances.

- a. If the resignation or the removal of a department chair does not lead to, or occur in conjunction with, a vacant faculty position, so that the position of department chair must be filled by someone who is presently a member of the department, the designation of a new department chair shall take place according to the procedures established by vote of the college faculty, or in the absence of these, according to procedures established by vote of the department faculty. The department's designation shall take place with the advice and consent of the college dean.
- b. If the resignation or the removal of a department chair does lead to, or occur in conjunction with, a vacant faculty position, then by vote of the department members, the department may:

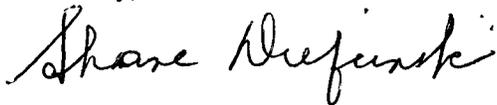
- i. Determine that the position of department chair shall be filled by someone already a member of the department and proceed according to the provisions of "a" above (if this option is chosen, the Affirmative Action Officer shall be consulted to ensure the Affirmative Action and Equal Employment Opportunity principles are applied);
- ii. Determine that the position of department chair shall be filled by the new faculty member to be appointed to fill the vacancy, and then proceed with the recruitment and initial appointment procedures outlined in Article III, Recruitment and Initial Appointment, being sure to include the duties of department chair in the position description and an explanation to all candidates that department chairs shall continue to serve at the pleasure of the department members and the dean; or
- iii. Determine that the designation of the new department chair shall occur (according to the provisions of "a" of this Section) after the appointment of the new faculty member, and that the latter will be considered a candidate along with other department members willing or desiring to serve as department chair. In this case, the department will assure that the position description includes a statement that the newly appointed faculty member will be, or may choose to be, a candidate for the position of department chair.

Whatever the circumstances were concerning the end of Dr. Caywood's role as chair of the Criminal Justice Department, it did not occur in conjunction with a vacant faculty position. Hence, 3(b) does not apply to this case.

As redress, Dr. Burton seeks acknowledgement that neither Article VI, Section 4 of the LA&E Constitution nor Part III, Article I, Section 3 of the UW-Platteville Faculty Bylaws were followed.

Based on the evidence presented at the hearing, the Complaints and Grievances Commission agrees with Dr. Burton. We recognize the challenges in the Criminal Justice Department that influenced Dean Throop's decision to suspend the election and appoint Dr. Dalecki as interim chair. However, we believe that the process for selecting a department chair that is spelled out in the Faculty Bylaws must be followed nonetheless. It was not followed in the appointment of Dr. Dalecki; it should be followed in the appointment of the next Chair of the Criminal Justice Department.

Sincerely,



Shane Drefcinski,

Chair, Complaints and Grievances Commission

CC: Dr. Elizabeth Throop, Dean of the College of Liberal Arts and Education

Dr. Sabina Burton, Department of Criminal Justice